

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton et al.

Confirmation No.: 8604

Serial No.: 09/823,322

Art Unit: 1631

Filed: April 2, 2001

Examiner: Marschel, A.

For: METHODS FOR DETERMINING  
THERAPEUTIC INDEX FROM GENE  
EXPRESSION PROFILES

Attorney Docket No: 9301-136

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97 & §1.56

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the reference listed on the attached "List of References Cited by Applicants." A legible copy of reference CK is submitted herewith. This reference was cited in a Supplementary Partial European Search Report for a counterpart European application.

Identification of the listed reference is not to be construed an admission of Applicants or Attorneys for Applicants that such reference is available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing reference and that the reference be made of record in the file history of the application.

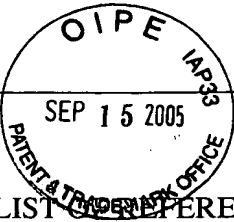
In accordance with 37 C.F.R. § 1.97(c) and § 1.17(p), the fee required has been estimated to be \$180.00. Please charge the required fee to Jones Day Deposit Account No. 50-3010. A copy of this sheet is enclosed.

Respectfully submitted,

Date September 15, 2005

Adriane M. Antler 32,605  
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# LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO.

9301-136

APPLICATION NO

09/823,322

APPLICANT

Marton et. al.

FILING DATE

April 2, 2001

GROUP

1631

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

CK	
	Stewart, 1998, "Yeast arrays join the search for specific drugs" Molecular Medicine Today 4:48.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with **MPEP 609**; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.